

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SIOBHAN GENESSI,

Plaintiff,

v.

PLACER COUNTY SUPERIOR COURT,
et al.,

Defendants.

Case No. 2:23-cv-01054-DAD-JDP (PS)

ORDER

GRANTING IN PART AND DENYING IN
PART PLAINTIFF'S MOTION FOR
APPOINTMENT OF COUNSEL AND FOR AN
EXTENSION OF TIME TO FILE AN
AMENDED COMPLAINT

ECF No. 15

Plaintiff has filed a motion for appointment of counsel and an extension of time to file a second amended complaint. ECF No. 15.

Generally, pro se litigants do not have a right to counsel in civil actions. *Palmer v. Valdez*, 560 F.3d 965, 970 (9th Cir. 2009). However, the court can request an attorney represent an indigent civil litigant under certain exceptional circumstances. 28 U.S.C. § 1915(e)(1) ("The court may request an attorney to represent any person unable to afford counsel"); *see Agyeman v. Corrections Corp. of America*, 390 F.3d 1101, 1103 (9th Cir 2004). In determining whether such circumstances exist, the court must evaluate both the plaintiff's likelihood of "success on the merits and . . . plaintiff's ability to articulate his claims in light of the complexity of the legal issues involved." *Agyeman*, 390 F.3d at 1103 (internal quotation omitted).

1 The court does not find that plaintiff's likelihood of success, the complexity of the issues,
2 or the degree of plaintiff's ability to articulate her claims amount to exceptional circumstances
3 warranting the appointment of counsel. Accordingly, plaintiff's motion is denied as to her
4 request for appointment of counsel. The court, however, will grant the motion as to her request
5 for an extension of time to file an amended complaint.

6 Accordingly, it is hereby ORDERED that:

7 1. Plaintiff's motion, ECF No. 15, is denied as to her request for appointment of counsel
8 and granted as to her request for an extension to file an amended complaint.

9 2. Plaintiff is granted thirty days from the date of this order to file a second amended
10 complaint.

11 IT IS SO ORDERED.
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13 Dated: July 1, 2024
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16 JEREMY D. PETERSON
17 UNITED STATES MAGISTRATE JUDGE
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